

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

WENDELL LEON MARENO, JR.,                    )  
  )  
                  Plaintiff,                            )  
  )  
                  v.                                    ) CIVIL ACTION NO. 2:20-CV-580-RAH-CSC  
  )  
WARDEN HENLINE,                                )  
  )  
                  Defendant.                        )

**ORDER**

This case is before the Court on a Recommendation of the Magistrate Judge entered on October 16, 2020. (Doc. 3.) The Magistrate Judge recommended dismissal for Plaintiff’s failure to pay an “initial partial filing fee.” A review of the docket, however, reflects Plaintiff failed to comply with the Court’s directive that he file either the entire \$400.00 filing and administrative fee or an affidavit in support of a motion for leave to proceed *in forma pauperis*. (Doc. 2.) Accordingly, upon an independent review of the file and the Recommendation of the Magistrate Judge, to which being no timely objections have been filed, it is hereby

ORDERED as follows:

1. The Recommendation of the Magistrate Judge (Doc. 3) is MODIFIED to reflect that this case is DISMISSED without prejudice for failure of Plaintiff to comply with the order of the Court that he either submit the full filing and administrative fee (\$400.00) or seek leave to proceed *in forma pauperis*;
2. The Recommendation of the Magistrate Judge (Doc. 3) that this case be DISMISSED without prejudice for failure of Plaintiff to comply with the orders of the court and to prosecute this action is ADOPTED as modified.

Final Judgment will be entered separately.

DONE, this 16th day of November, 2020.

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*/s/ R. Austin Huffaker, Jr.*  
R. AUSTIN HUFFAKER, JR.  
UNITED STATES DISTRICT JUDGE